Supreme Court, U.S.
FILED
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OFFICE OF THE CLERK

No.

In The

Supreme Court of the United States

PATRICK J. SHCOTTLER

Petitioner

V's

STATE OF WISCONSIN, CHIEF SHIRLEY ABRAHAMSON, DONALD W. STEINMETZ, WILLIAM A. BABLITCH, JON P. WILCOX, ANN WALSH BRADLEY, PATRICK CROOKS, DAVID PROSSER, MARY E. BURKE, JAMES E. DOYLE, TOMMY THOMPSON, P. J. CANE, THOMAS CANE, ERIC J. LUNDELL DENNIS ERICKSON, C.A. RICHARDS AND SCOTT NEEDHAM

Respondent

On Petition for a Writ of Certiorari to the United States Court of Appeals for the Seventh Circuit

PETITION FOR WRIT OF CERTIORARI

THE UNITED STATES CONSTITUTION

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Pro Se

(5pp

10th Amendment Question

The Powers not delegated to the United States by the Constituition, nor prohibited by it to the states, are reserved to the states respectively, or to the People.

1st Amendment Violation

Congress shall make no law respecting (-) or abridging (cut short) the freedom of speech, or of the press;

A man was convicted of a crime for writing personal letters with proper postage mailed with the post office, in Wisconsin Under a law the Wisconsin Congress passed.

Is this a Violation of Constitutional laws 10th amendment and first Amendment?

Does the press cover all writen words weather they are personal letters or for the freedom of the press do they need to be writen in a news paper?

9th Amendment Question

The enumeration (listing off) in the Constitution, of certain rights, shall not be construed (put together) to deny or disparage (put down) others retained by the people.

11th Amendment question

The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by citizens of another state, or by citizens or subjects of any foreign state.

When a citizen has had a constitutional right denied and the courts of that state refuse to hear the case or correct the wrong can the 11th Amendment denie a case against the state or judges in the state for constitutional violations or does the ninth amendment for bid the 11th amendment from dening prosecution against a state by one of it's own citizens?

Article VI second paragraph question.

This constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United states, shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding. (have no Standing if they contradict the Constitution of the United States)?

several questions

What does it stand for when it says shall be the Supreme Law of The Land?

Does it mean the 10th Amendment does not allow states to have laws that violate the first amendment?

Does it mean the 9th amendment does not allow the 11th amendment to grant states immunity from suit for constitutional violations denying the first amendment to its own state citizens?

When the Constitution says the Judges in every state shall be bound thereby. Can the Judges be bound to the constitution and at the same time be immune from it. (Immune from suit when they violate the constitutional provisions)?

When the Constitution says anything in the constitution or laws of any state to the contrary notwithstanding.

Does this inturpret to laws that contradict the Constitution have no standing? and the Constitution is the Supreme law of the land?

Article III 1st Paragraph qusetion?

The judges, both of the supreme and inferior courts, shall hold their offices during good behaviour, (----)

Is not following constitutional law bad behaviour? When judges of both the United States and of the several states shall be bound by oath or affirmation to support (advocate) this constitution from Article VI Paragraph 3

Article VI paragraph 3

The Senators and representatives before mentioned, and the members of the severaal state legislatures, and all executive and judicial officers, both of the United States and of the several states, shall be bound by oath or affirmation, to support (advocate) this constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States.

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Article III Sec. 2 Paragraph 1, Questions?

The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under thier authority; -to all cases affecting ambassadors, other public ministers and consuls;(---)And between a state, or the citizens thereof, and foreign states citizens or subjects.

Understanding the last sentence to be inturpreted as the state of WI can take a citizen of the state of MN to court for a speeding ticket or violation of a WI law. In WI.

Article III Sec. 2 Paragraph 2 Questions?

In all cases affecting ambassadors, other public ministers and consuls, and those in which a state shall be party, the Supreme Court shall have original jurisdiction. (----)

If Judges of a state are put on trial for constitutional violations does the supreme court have original jurisdiction, when plaintiff has asked the supreme court of that state the attourney general of that state the governor of that state to correct the constitutional violations against him and No one in the state will?

1st Amendment question (religion)

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; -----

Article VII

Done in convention by the unanimous consent of the states present the seventeenth day of september in the year of our lord one thousand seven hundred and eighty seven -----

All money says in God We Trust

Declaration of Independance July 4 1776

----- We, therefore, the Representatives of the united states of america, in General Congress, Assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the Name, and by Authority of the good People of these Colonies, solemnly publish and declare, that these United Colonies are and of Right ought to be Free and Independent States;

The United States Recognizes God in different ways, God is watching.

If you know history you can see his hand Blessing the United States.

Now I ask the Supreme Court of The United States to grant the provision in the Constitution that No Law can be passed to prevent the practice of ones religion.

Should not Judges order Jails be certain an inmate can practice his religion or be transfered to an institution that will. (Immediatly).

So as to enforce this law I ask for Punitive damages, then the state will take Religion seriously.

This Godly Decision is up to you the humans of the Supreme Court.

--WARNING-- when the federal supreme court errored in the dred scott case not following the provision in the declaration that all men are created equal, our nation was thrown into a civil war. many people lost there lives.

I know God is patient But I also see things that are pre war exibits. It's not my case

14th Amendment questions

No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United states; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Can a state supreme court by not hearing a case which makes writing letters a crime be innocent of enforcing a law which does abridge the privilegedes or immunities of citizens of the United States?

Nor shall any state deprive any person of life, liberty or property with out due process of law.

Is putting a person in jail for a missdemeaner while they are struggling to appeal there case deprivation of liberty with out complete due process of law.

Nor deny to any person with in its jurisdiction the equal protection of the laws.

If the state claims one who provokes another is guilty of crime and must go to Jail. Do not even judges must conduct themselves so as not to provok another person or they themselves would violate the law? Does not the defendant deserve equal protection of the law?

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The courts have ruled in the past that judges can not be tried when litigants have been provoked.

Should not ordinary citizens have this same right when another is provoked with a defendant should the defendant not be immune from suit, as a judge would be immune?

Is this not what the first amendment is about?

AGENCYS OF THIS CASE pg x

One or two of the defendants on the cover may have left office during this case. Agencys in volved in this case are as follows

The WI Supreme Court

The WI attourney general

The WI governor

The WI Court of Appeals

The WI Curcuit Court (St Croix County).

The State of WI

Curcuit court prossecutor (should know the constitution).

AGENCYS CONTACTED AND NOT INVOLVED

The Wi Judicial Council, they never responded and take there cases before the WI Supreme court one of the already defendants, making any thing they do absolutly pointless.

The local U.S. Attourneys office, Is not being invloved, The State Should have solved this problem. (I'm not insinuating they are not guilty)

The Local Jail is not invloved, How can they be When the State of WI Judges would not order them to let the defendant practice his religion. (I'm trying to keep this complicated matter, simple)

This case is against the State of WI and the people who make up that justice department, The governor was contacted before suit was filed.

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TABLE OF AUTHORITIES CITED (includes cases)

28 U.S.C. §1254 Supreme Court (this writ)

28 U.S.C. §1291 in Court of Appeals

28 U.S.C. §1292 in Court of Appeals

28 U.S.C. §1295 in Court of Appeals

28 U.S.C. §1331 in Court of Appeals and District Court

28 U.S.C. §1343 in Court of Appeals

28 U.S.C. §2241, §2254 in Court of Appeals

28 U.S.C. §2403(a) may apply

28 U.S.C. §451

42 U.S.C. §1983 (This is an errer) Judge miss wrote Statute filed.

42 U.S.C. §1985 in Court of Appeals (The correct statute Quoted)

Arizonans for Official English v. Arizona, 520 U.S. 43, 69 (1997);

Car Carriers, Inc. v. Ford Motor Co., 745 F. 2d 1101, 1106 (7th Cir. 1984)

Conley v. Gibson, 355 U.S. 41, 45-46 (1957)

District of Columbia Court of Appeals v. Feldman, 460 U.S. 462 (1983).

Heck v. Humphrey 512 U.S. 477 (1994)

Imbler v. Pachtman, 424 U.S. 409, 431 (1976)

Quern v. Jordan, 440 U.S.C. 332, 337 (1979)

Rooker Feldman Doctrine:

Rooker v. Fidelity Trust Co., 263 U.S. 413 (1923);

Stump v. Sparkman, 435 U.S. 349, 355-56, reh. denied, 436 U.S.951 (1978)

Will v. Michigan Department of State Police, 491 U.S. 58 (1989).

BASIS FOR JURISDICTION

Date of Judgment sought to be reviewed

Court of appeals Judgement June 26, 2000 then on motion to complete judgment entered On july 18, 2000

Remanded to district court

whose Judgement was entered Jul 6, 2000 and july 31st 2000

Statutory provision 28 U.S.C. 1254 gives jurisdiction.

Constitutional Provisions in Question

Article III

Article VI

Amendment 1

Amendment 8

Amendment 9

Amendment 10

Amendment 11

Amendment 14

Wisconsin State Statute 947.01

DISSORDERLY CONDUCT

Unlawfully, in a public or private place, engage in indecent, or otherwise disorderly conduct under circumstances in which the conduct tends to cause or provoke a disturbance, contrary to

BASIS FOR JURISDICTION (2nd page)

947.01 of the Wisconsin Statutes, which offence is a Class B Misdemeanor, punishable upon conviction by a fine not to exceed $1,000 or imprisonment not to exceed 90 days, or both;

---

28 U.S.C. 2403(a) may apply

28 U.S.C. 451 The U.S. court did not certifie to attourney general the fact that the constitutionality of an act of congress was drawn into question.

The basis for federal jurisdiction in the court of first instance was entered under

28 USC 1331 (a)

(a) The District courts shall have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States.

on page 1 of original complaint following page letter I

The basis for federal jurisdiction in the seventh circuit court of appeals was entered under 28 U.S.C. §1291

The seventh curcuit court of appeals did not comment on the issues of article III Article VI the ninth amendment or the tenth amendment.

These are the laws that clearly state the constitution is the supreme law of the land.

That states can have laws that are not forbiden by the constitution

That all judges are bound to the constitution.

A man wrote a letter to a woman it's normal many people do it but in this case the state called it dissorderly conduct because the woman was provoked.

Under the Constitution Dissorderly Conduct is legal when it claims it is illegal to hit or kick someone so this law is legal.

The State Claimed writing letters is conduct therefore it is dissorderly conduct and Illegal, when the person writen to is provoked.

In this case the defendant Pat Schottler claims the constitution does not allow any law to be passed to abridge one's freedom of speach or of the press.

It doesn't matter how a law may be worded it can not be applied to abridge ones freedom of speach.

What the state has showed Pat Schottler is he can not write letters or he will be put in jail. they took away his freedom to speak, or write.

THIS IS NOT FAIR.

"SPEECH" (statement of case)

Pat did not hit kick push or shove anyone.

Pat appealed his case

WI Curcuit court

Wi court of appeals

Wi supreme Court

Federal Supreme Court.

This is how each court decided the case

Curcuit court said WI supreme Court said even words can be a crime and let the conviction stand.

Transcript was defective Pat asked WI court of appeals to correct transcript that was denied. Pat could not send Transcript that was defective WI appeals court said with out transcript it could not reverse Case.

Pat appealed to WI Supreme Court There claim they could chose at there own option what cases they would hear and they chose not to hear this one.

Pat appealed to Federal Supreme Court while confined in jail which did not cooperate in appeal. Federal Supreme court clerk returned Document as out of time. though document had been filed on time even with difficulty.

This is a short version of what happened what happened can be spread out on to over 500 pages.

Pat asked Governor Thompson to hold a hearing with the Supreme Court, Governor Thompson chose not to get involved.

Pat filed suit in District Court It was dissmissed Claiming Judges and prosecutors are immune from suit.

Appealed to the seventh circuit, which claimed lack of custody

This sinario has left a state with authouity to abridge ones freedom I ask the federal Supreme Court to Intervien.

Case no 99-4364 "RELIGION" (statement of case)

When Pat Schottler was convicted of dissorderly conduct for writing letters, he was taken to jail for a 90 day sentence. Pat Attends Sunday Catholic mass every sunday rain or shine cold or deep snow. and has for the past 25 years. Irregardless of weather or not he should have been put in jail for writing letters he told jail staff after getting cleaned up he was ready for religious services. he was catholic. The Jail staff notified him there was no catholic services. On sunday.

Pat took this issue up with the judge who convicted him. at a hueber priveleges hearing the judge ordered he be released for work but did not order his release for church. Soon after that pat's appeal went through and he was release from jail to persue his case of the freedom to speak or write.

This case did not go as planned and pat was put back in jail and still not allowed to go to church. he appealed to the Wi Supreme court having been through the local jail captain local judge.

The Supreme Court did not review the case.

Pat linked both his religious case and freedom of speach case together and appealed to the federal supreme court the clerk returned the papers as untimely. Pat filed suit aginst all judges inolved in the federal district court (Why file against the Jail they will do what ever there ordered to do) the district court dissmissed the case Pat appealed to the 7th Curcuit which claimed judges are immune and not responsible for not ordering the jail to release person for church.

Pat Schottler chose to separate the two issues of freedom of speach and religion. Do to time, costs, and clarity chose to join them together, in One writ.

Now ask the question if a person goes to church every sunday then are confined by another person and not allowed to practice there religion are they not being prevented and is this not garenteed under the constitution?

is it not a judges responsibility to decide this issue and oreder a jail to make sure no person is prevented from prscticing there religion.

When the judges attourney gererals are notified and chose to defend themselves in a suit are they not guilty of preventing or aiding the prevention of one from practicing there religion is this not neglegence.

To the best of my knowlege still to this day catholics are not allowed to practice ther religion in jail. that being attending sunday Mass.

Argument Amplifing Reasons relied on for allowance of the writ

All money say's in god we trust, the seventh article in the constitution references the date of the constitution by the number of day's from the birth of crist. So to the constitution recognizes God and also Recognizes People worship God Differently.

God should not be ignored by the justice department and if you know the history of the revelution you would know God had a hand in that too, giving the United States there freedom and acknowledging the United states Acknowledges God.

The Declaration of Independance Reffered to him as the Supreme Judge of the World.

REASON FOR ALOWANCE OF WRIT

A direct and conciser Argument amplifying the reasons relied on for alowance of the writ.

A United States Court of appeals has not decided an important question of federal law that has not been, but should be settled by this court.

Other Complaints not fully adressed in writ.

Sent to Psycological ward and billed for the services at nearly $500/Day (Cruel & Unusual Punishment)

Trial being canciled 4 days before after mandatory Supena's had to be delivered. Defendant stuck with Extra expence.

The honesty and credeability of the Librian (plaintiff)

Being put in jail for a misdemenar 10 days before christmass for writing letters (Cruel and Unusual Punishment) "this is an example they were not looking for justice the case was personal to them" Judge Lundel and pros Ericson.

Un able to make Legal typed documents and addequetly appeal case in Jail. (due prosses of law).

make to much money to qualify for public defender and not enough for attourney. (6 amendment)

Judge granting a police officer restraint from complaints against other Justice department officials. (14th amendment)

Prossecuter mixing up letters (the evidence) that I wrote (the Crime).

Federal Question Raised in circuit court is in appendix this writ pages (26-31) transcript from circuit court.

The appencix contains WI Sup Crt Denial

1900 Dissorderly conduct jury instrutions Puzzeling to me the remarks

> What is proper under one set of circumstances may be improper under other circumstances.

Would that be discrimination?

The appendix also contains the transcript conspiracies to denie constitutional rights. Including a threat to prosecute for wishing a merry christmas and happy new year. (page 29)

At this point I wish to Appologize to the Federal Supreme Court, there is absolutly no reason this case should ever have been brought before you yet all I can say is HERE IT IS and ask what eles could I do?

Should the Federal Supreme Court denie review of this case because I Pro Se am inadaquit to present it , Please so Note (or don't note) in your denial so that the State of WI can know or ( ) it is Not legal to Denie Constitutional Garenties.

This is a question, fairly included in writ?

FOOT NOTES

Some how I nee[illegible] put in words that it is not uncommon for me to do something even a large task by my self.

Pro Se

I Believe the state interprets me by my self as "Easy Quarry" They don't need to follow constitutional Laws

I hope the federal Supreme Court Enforces the Constitutional Garenties to every citizen even those who stand a lone.

2. I have asked several attourneys 255+ Judges 167 Law Schools. When they would not help I went forward a lone.

Relief Sought

The Relief I seek I will ask with a question. What Authority do I as a citizen of the United States have over my government to enforce the Constitution to all citizens when agency's will not do anything to those who violate the constitution. as a citizen the only option I could find in the law books was money. If the State had to pay out money a lot of money for there crime they would ensure it never happen again.

How ever you the federal supreme court have other options

Pat Schotte